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10/600,566	06/23/2003	Saied Hussaini	8312.146	9636
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EXAMINER				
PANDYA, SUNT				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/600,566

Applicant(s)

HUSSAINI ET AL.

Examiner

SUNIT PANDYA

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 3-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/CDC)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

This action is in response to amendment filed 9/28/2007, wherein the applicant has amended claims 3 & 6 and has added claim 16.

Claim Objections

Claim 4 is objected to because of the following informalities: Line 4, in said claim should be amended to replace "is" to "in", thus reading "...within an opening in said base member..." Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutaragi et al US Patent 6,749,507 in view of Takada et al US Patent 7,033,588.

Kutaragi et al. teaches a portable video display unit that has a base member (see lead lines 94 and 95), which has a base panel (see proximate lead line 951), and a video display (see lead line 91), wherein the display member has a viewing surface with a display screen (see lead line 91 and 911 and 911a), is pivotally mounted to the base member between a stowed position, wherein the display member is parallel to the base panel, and a deployed position, wherein the display member

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projects outwardly away from the base panel (see col. 10 lines 46-57). It is noted that the "stowed position" and the "deployed position" are relative to what is considered stowed and deployed. In this case, the claim sets forth that a "stowed position" is merely when the display member is parallel to the base panel which is clearly true of Kutaragi et al. when the display member 91 is parallel to the base panel 951, and that a "deployed position" is when the display member is not parallel with the base panel and is still viewable by a user such the positioning demonstrated in Fig. 11 or when the video member makes an obtuse or 180 angle relative to the apparatus body (see col. 10 lines 48-55). Kutaragi et al. also teaches a locking attachment device on the base member (see col. 12 lines 21-27), the base panel being substantially flat (see lead line 951), the base member also having a screen support member on the rear edge of the base panel (see lead line 95, wherein the locking member includes any means of locking, which could include, screws, hooks, clips etc. which are mounted to the base member to prevent rotation thereto), and the video display member being pivotally mounted to the screen support member of the base member (see col. 10 lines 46-57 and Figs. 11 and 28). Kutaragi et al. also teaches that the screen support member has a rear panel provided with at least one electrical connector that has the ability to be detachably electrically connected to a corresponding electrical connector on the electronic video processing device through an extension cable (see lead line 95A, 96A and 96B). Kutaragi et al. also teaches that the video display member is provided with a pair of stereophonic speakers (see lead line 912 and col. 8 lines 30-34) and that there is a display controller in the video display unit (see col. 8 lines 12-14).

Kutaragi et al. teaches a front panel of the screen support member (see Fig. 30 and proximate lead lines 95B and 95 and col. 12 lines 46-50), that a plurality of controls that regulate the display screen by allowing the video to pass through the portable display device to an external unit (see col. 12 lines 59-64), and at least one earphone plug socket exists on the screen support member (see lead line 96C). Kutaragi et al. does not explicitly teach a power switch on the front panel. However, Kutaragi et al. does teach that the device may be arranged to receive power from an external source and not from the game console (see col. 12 lines 43-45), that devices which receive power independently should have a power switch and that it should be located in a easily accessible place such as an outer surface (see col. 5 lines 6-8), and that other switches and buttons could be placed on the screen support surface for easy access as opposed to the surface shown proximate lead line 95A in Fig. 31 and Fig. 33 (see col. 12 lines 59-64). All of these teachings in the Kutaragi et al. reference suggest that when the power for the portable display device is being drawn from a source separate from the game console, a power switch should likely be placed on the front panel of the screen support member.

Kutaragi et al. lacks is specifically teaching all of the specifics of the connection tab devices and grooves. Instead Kutaragi et al. discloses that it is known to fix a display to a portable game machine using one type of mounting bracket for portability and use as a peripheral. In an analogous invention of Takada et al. therein is disclosed a system for mounting peripherals to a gaming device. Specifically in column 3 lines 22-43 teaches that the present application describes a home video game system having

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at least one surface provided with one or more recesses therein. The video game system also has a connector within the recess for connecting peripheral devices inserted in the recess to the game processing circuitry. The peripheral device includes an electrical component, an electrical connector coupled to the electrical component for connecting to a connector of the home video game system, and a housing. The housing of the peripheral device is configured so that when the peripheral device is inserted in the recess of the home video game system, it is substantially flush with the external surface of the home video game system. In this way, the footprint of the video game system can remain the same, even if peripheral devices are added. In addition, because the shapes of the peripheral devices are non-standard and unusual, they provide uniqueness that can be used as a basis for excluding unlicensed and unauthorized people from manufacturing components that are compatible with the video game system. This allows a home video game system developer to protect its substantial investment in the development of the system. Columns 10 and 11 provide the descriptions for figures 12 and 13 and the use of all types of peripherals mounted to a game machine. Specifically, Referring to FIG. 12, the bottom surface U of housing H may include a number of recesses normally covered by covers (not shown). Removal of such covers exposes recesses and associated connectors. For example, a recess R.sub.1 may include a "high speed port" connector such as the connector 1549 (P10) and a recess R.sub.2 may expose and provide connection to a modem connector 1514 (P6). Further recess R.sub.3 may expose and provide connection to an additional serial port such as the connector 1520 (P8). As best seen in FIG. 13, peripheral devices PD1,

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PD2 and PD3 can be mechanically configured to fit dimensionally within corresponding recess R.sub.1, R.sub.2, R.sub.3 so that such peripheral devices can be mounted flush within the generally cubic configuration of housing H. In this way, the footprint of the video game system can remain the same, even if peripheral devices PD1, PD2 and PD3 are added. Such peripheral devices PD1, PD2, PD3 may include a broadband adapter, **a modem, or any other sort of electronic or electrical device providing data inputs and/or outputs. Devices PD1, PD2 and PD3 can be modular and inserted or removed into corresponding recess R at will to provide different expansion or other functionality for system 50.** Of course, a connecting cable or wireless communications device could be coupled to any of the connectors 1514 (P6), 1520 (P8) and 1549 (P10) to allow system 50 to be interconnected with a free-standing external system or device such as an external magnetic or optical disk drive. The example connectors of the video game system preferably (although not necessarily) provide power so that devices PD1, PD2 and PD3 need not provide their own power sources.

FIG. 13 shows that the peripheral devices may include additional connectors for connections other than connections to the video game system. For example, if peripheral device PD2 is a modem, it will include a connector for connecting the modem to connector 1514 (P6) and an additional connector for connecting the modem to a telephone line. The recesses R.sub.1, R.sub.2, R.sub.3 are formed so that these additional connectors are easily accessible when the peripheral devices are inserted therein. In the FIG. 13 example embodiment, each recess includes a cut-out portion

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(opening) formed through one of the sidewalls of housing H. The peripheral device is configured so that any additional connector thereof is accessible via this cut-out portion when the peripheral device is inserted into a recess.

As mentioned above, peripheral devices PD1, PD2 and PD3 may be any type of peripheral device for coupling to a home video game system. ***The particular elements making up a peripheral device will depend upon its functionality. Generally speaking, the peripheral device includes one or more electrical components and an electrical connector coupled to the electrical component(s) for connecting to one of the game system connectors.*** For example, a game controller typically includes user manipulable controls (such as buttons, joysticks, crosspads and the like) and an electrical connector that couples electrical signals based on inputs to the user manipulable controls to one of connectors 1523. Of course, the game controller may include other components such as a memory for storing game data; processing circuitry such as a microprocessor, an application specific integrated circuit, a microcontroller, and the like; and a motor for vibrating the housing of the controller in accordance with commands received from the home video game system. ***Other peripheral devices may include communication circuits for communicating via wired or wireless communication networks; memory devices including optical, magnetic and semiconductor memories; display devices such as liquid crystal displays; printers; optical detectors such as digital cameras; computers; keypads; keyboards; pointing devices; voice recognition systems; etc.***

With respect to the specifics of the different mounting arrangements for the display device Takada teaches above to attach a plurality of peripherals to a gaming machine using a plurality of different methods such as tabs and the like which may be adaptable depending on the various configuration of the gaming machine. Barring any criticality any of the well known methods of using tabs, clips, hooks and screws and quick connects that are well known in the art for attaching computer hardware together could be used. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Kutaragi et al. with the teachings of Takeda et al in order to have a display attached to a portable gaming machine using a plethora of different fastening means.

Response to Arguments

Applicant's arguments filed 9/28/07 have been fully considered but they are not persuasive.

The applicant argues that the reference Kutaragi et al. fails to disclose a locking attachment device including a locking tab pivotally mounted to a rear side of the base member. The examiner respectfully disagrees with the applicant, as disclosed in the rejection above, Kutaragi et al. clearly teaches of locking tab pivotally mounted to the rear side of the base member, see Fig. 11, and column 8, lines 44-59. Kutaragi et al. also teaches of locking attachment device on the base member and projection provided for engaging a recess formed in a rear side of the electronic video processing (see figures 8-11, 13-16 col.12 lines 21-27).

Regarding the applicant's arguments, that the examiner erroneously alleges that "Kutaragi et al. discloses that it is known to fix a display to a portable game machine using one type of mounting bracket for portability and use as a peripheral." The examiner respectfully disagrees with the applicant. Kutaragi et al., as stated in the rejection above, teaches of one of the methods of connecting the display to the gaming machine, and however does not limit it only to that method of connection, therefore it would be within the grasp of Kutaragi et al. to fix a display to the gaming device without hard screwing them in (see one of the embodiment provided by the Kutaragi et al. col. 9, lines 50-60).

Regarding the applicant's arguments that Takada et al. does not describe a portable video display unit attached to the video game system and Takada et al. does not describe a locking attachment device provided for removably securing any of the peripheral devices to the housing of the main unit. The examiner agrees with the applicant, however in response to applicant's arguments against the references individually (Takada et al.), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case the reference of Kutaragi et al. teaches of a portable video display unit attached to the video game system and a locking attachment device securing any of the peripheral devices to the housing of the main unit, as described in the rejection above.

The applicant also argues that not all of the limitations of claims 4 & 6 have been taught by the reference. The examiner respectfully disagrees with the applicant, and would like to direct their attention to first two paragraph of the rejections, for details regarding all of the limitations.

With regards to the applicant's arguments that Kutaragi et al. does not disclose a power switch button on the screen support member. The examiner respectfully disagrees with the applicant. Kutaragi teaches of a power switch on the front panel, furthermore Kutaragi et al. teaches that it is within the reference's capabilities to arrange the device's location in any easily accessible place such as an outer surface (see col. 5 lines 6-8 and col. 13, lines 42-48), and that other switches and buttons could be placed on the screen support surface for easy access as opposed to the surface shown proximate lead line 95A in Fig. 31 and Fig. 33 (see col. 12 lines 59-64). All of these teachings in the Kutaragi et al. reference suggest that when the power for the portable display device is being drawn from a source separate from the game console, a power switch should likely be placed on the front panel of the screen support member (wherein the screen support member is the "housing" or "casing" that holds supports the screen).

Consequently, for the reason provided above, the rejection is maintained.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on 8 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

SP